

Panaji, 27th December, 2018 (Pausa 6,1940)

SERIES II No. 39

OFFICIAL GAZETTE

GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

GOVERNMENT OF GOA

Department of Environment

Order

No. 1/20/18-PCB/Lab-13798/743

Sub.: Preparation an action plan for "Restoration of polluted riverine-stretches".

Ref.: 1. Order dated 20-9-2018 issued by the Hon'ble National Green Tribunal in the matter of Application No. 673/2018.

2. No. Tech/45(A)/RPRS/RDS/2018-19/1311 dated 12-10-2018 letter issued by the CPCB.

In supersession earlier sanction order issued vide Order No. 1/20/18-PCB/Lab-13795/667 dated 21-11-2018, the State Government hereby constitutes the River Restoration Committee with the following members.

- | | |
|--|-------------|
| 1. The Secretary (Environment) | — Chairman. |
| 2. The Director, Directorate of Urban Development | — Member. |
| 3. The Director, Department of Environment | — Member. |
| 4. The Chief Engineer, Water Resources Department | — Member. |
| 5. The Director, Directorate of Industries, Trade & Commerce | — Member. |
| 6. The Director, Directorate of Health Services | — Member. |
| 7. The Director, Directorate of Panchayats, Panaji-Goa | — Member. |
| 8. The Superintending Engineer, Circle-V, North Goa | — Member. |
| 9. The Superintending Engineer, Circle-VI, South Goa | — Member. |
| 10. The Managing Director, Sewerage Infrastructure Development Corporation Goa Ltd., | — Member. |

11. The Project Director, Japan International Co-operation Agency (JICA), PWD, Altinho, Panaji

12. The Member Secretary, Goa State Pollution Control Board (GSPCB) — Member Secretary of the committee.

The said committee will prepare an Action Plan for restoration of the polluted riverine stretches identified by the Central Pollution Control Board/Goa State Pollution Control Board and file progress report on or before 15-12-2018. The Action Plan shall be comply with the detailed direction of Hon'ble NGT dated 20-09-2018 in W. P. No. 673 of 2018.

The Goa State Pollution Control Board (GSPCB) shall upload the information of the polluted restoration and invite public to participation from education institution/religious institution/common establishment in website.

This is issued with the approval of the State Government vide U.O. No. 9318 dated 31-10-2018.

By order and in the name of the Governor of Goa.

Ravi Jha, IAS, Director (Environment).

Porvorim, 26th December, 2018.

Order

No. 1/20/18-PCB/Lab-13798/744

Sub.: Preparation an action plan for "Restoration of polluted riverine-stretches".

Ref.: 1. Order dated 20-9-2018 issued by the Hon'ble National Green Tribunal in the matter of Application No. 673/2018.

2. No. Tech/45(A)/RPRS/RDS/2018-19/1311 dated 12-10-2018 letter issued by the CPCB.

In pursuance to the order of Hon'ble National Green Tribunal (NGT) cited (1) above, the State Government hereby constitutes Special Environment Surveillance Task Force with the following members:

For North Goa District

1. District Magistrate (North) — Chairman.
2. Superintendent of Police (North) — Member.
3. Dr. Mohan Girap, Scientist 'C' — Member.
GSPCB

For South Goa District

1. District Magistrate (South) — Chairman.
2. Superintendent of Police (South) — Member.
3. Mrs. Jenica Sequirra, — Member.
Scientist 'C' GSPCB

Note: Special Environment Surveillance Task Force will ensure that the no illegal mining take place in the river belt of polluted stretches as provided in the list attached to this order.

This is issued with the approval of the State Government vide U.O. No. 9318 dated 31-10-2018.

By order and in the name of the Governor of Goa.

Ravi Jha, IAS, Director (Environment).

Porvorim, 26th December, 2018.



Department of Labour

Notification

No. 28/3/2018-LAB/Part-I/808

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 20-11-2018 in reference No. IT/11/16 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 17th December, 2018.

IN THE INDUSTRIAL AND LABOUR COURT

**GOVERNMENT OF GOA
AT PANAJI**

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/11/16

Shri Surendra R. Naik
& 9 Others,
Rep. by United Bargemen
Association,
Damodar Polyclinic, 3rd Floor,
Fr. Joseph Vaz Road,
Vasco-da-Gama-403 802. ... Workmen/Party I
V/s

M/s. Vishal Shipping
Co. Pvt. Ltd.,
Flat No. 4, 3rd Floor,
Queeny Elite,
Vasco-da-Gama, 403 802. ... Employer/Party II
Workmen/Party I represented by Ld. Adv. Shri
Suhaas Naik.

Employer/Party II ex-parte.

AWARD

**(Delivered on this the 20th day of the month
of November of the year 2018)**

By Order dated 22-12-2015, bearing No. 28/54/2015-LAB/1083, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of M/s Vishal Shipping Co. Private Limited, Vasco-da-Gama, Goa, in terminating the services of following workmen, with effect from 16-09-2012, is legal and justified?"

Sr. No.	Name	Designation
1.	Shri Surendra R. Naik	Master
2.	Shri Jagdish Devskar	Master
3.	Shri Pradeep Sharma	Driver
4.	Shri Manjunath Gaonkar	Driver
5.	Shri Banudas Naik	Sukani
6.	Shri Ramakant Majalikar	Sukani
7.	Shri Digamber Naik	Oil Man
8.	Shri Prakash Pawar	Oil Man
9.	Shri Premanand	Sailor
10.	Shri Dharamraj Bind	Sailor

"(2) If not, to what relief the workmen are entitled?"

2. Upon receipt of the reference, it was registered as IT/11/16 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exhibit 4.

3. In short, the case of the Party I is that the Party I workmen were employed on M. V. Mahima Barge No. MRH 611 owned by Party II and Party I were primarily engaged in transporting iron ore. All the workmen have been working with Party II continuously for many years since their initial date of joining and were paid monthly salary. However, suddenly the management laid down the barge under the pretext of annual repairs from 1-7-2012 by notice dated 2-7-2012 and advised the crew to disembark from the said barge and thereafter from 16-9-2012 refused employment to Party I workmen and failed to pay them their monthly salaries. The Party I workmen pleaded with the employer not to refuse them the employment so as to enable them to maintain themselves and their families. The workmen patiently waited from July, 2012 to December, 2012 for the responses of Party II employer, however the Party II did not respond and as such the Party I workmen raised an industrial dispute before the office of the Commissioner of Labour asking for the intervention. The Party II failed to resolve the dispute and it ended in failure as Party II did not attend the proceedings before the Commissioner, Labour. The refusal of the employment to the workmen is illegal, unjustified and bad in law. The Party II has not given any compensation of whatsoever nature to Party I and neither paid their pending dues. The action of Party II in refusing employment is illegal, unjustified and bad in law. Hence, the reference.

4. It is a matter of record that the Party II was served a notice which was returned unclaimed on 18-2-2016. It is also seen that notice under certificate of posting was also sent, however none present on behalf of Party II. It is also a matter of record that on 27-6-2016, a fresh notice was issued to Party II by registered post A/D, which was again returned with postal remarks 'unclaimed, intimated, returned to sender'. The Party I thereafter submitted a fresh address of Party II and accordingly, a fresh notice was issued on the said address, however it was again returned back with same endorsement by postal authorities 'unclaimed, intimated, returned to sender'. It was therefore found expedient to proceed ex-parte against Party II.

5. Issues framed at Exhibit 11 are as follows:

- (1) Whether the Party I proves that the action of the Party II in terminating their services w.e.f. 16-9-2012 is illegal and unjustified?

- (2) Whether the Party I proves that they are entitled for reinstatement in services with full back wages and continuity in services with all other consequential benefits?

- (3) What relief? What Order?

6. In the course of evidence, the Party I examined Shri Surendra R. Naik as witness No. 1 and produced on record copies of industrial disputes dated 28-12-2012 and 3-4-2013 raised by the Party I workmen at Exh. 11 colly, a copy of notice dated 22-1-2013 issued by ALC at Exh. 12, a copy of complaint dated 8-8-2015 filed by United Bargemen's Association at Exh. 13, a copy of complaint dated 7-8-2015 filed before Superintendent of Police at Exh. 14, a copy of minutes of the conciliation proceedings held before the ALC at Exh. 15, a copy of certificate issued by the Party II at Exh. 16, copies of salary slips of Surendra Naik for the month of Feb. 2012, March 2012, May 2012 and June 2012 at Exh. 17 colly, copies of salary slip of Jagdish Deusekar and certificate of second class master issued by Govt. of Goa at Exh. 18 colly, a copy of salary slip of Pradeep Kumar Sharma and certificate issued by Govt. of Goa at Exh. 19 colly, a copy of salary slip of Bhanudas Naik along with letter dated 16-9-2012 at Exh. 20 colly, a copy of salary slip of Dharamraj Bind along with entry permit at Exh. 21 colly, a copy of salary slip of Digamber Naik along with entry permit at Exh. 22 colly, a copy of salary slip of Premanand Naik along with entry permit at Exh. 23 colly, copies of salary sheet of all the workmen for the month of Dec. 2009 at Exh. 24 colly. The Party I also examined Shri Jagdish Deushekar, Shri Ramakant Majalekar, Shri Digamber Naik, Shri Bhanudas Naik and Shri Dharamraj Bind.

7. Heard arguments. Notes of Written arguments came to be placed on record by the Party I.

8. I have gone through the records of the case and have duly considered the arguments advanced. My answers with their findings and reasons thereof are as follows.

- | | | |
|-------------|-----|---------------------|
| Issue No. 1 | ... | In the Affirmative. |
| Issue No. 2 | ... | As per Final order. |
| Issue No. 3 | ... | As per Final order. |

REASONS

Issue No. 1:

9. Discernibly, the Party I examined six witnesses to prove its case. Shri Surendra R. Naik has deposed that he along with 9 others have been refused employment w.e.f. 16-9-2012 by Party II. He further claimed that they were employed on the barge

M. V. Mahima as its crew which was primarily engaged in transportation of iron ore. He claimed that he was working as second class master. He has also specified about the working of other workmen, their date of joining, nature of duties and the salaries paid to them. He also stated that after they were refused employment, they requested the Party II to pay their salaries and that they waited patiently for the response and as no response was given, their union raised an industrial dispute. He has produced on record the documents including a copy of complaint, minutes of conciliation proceedings, the copies of salary slips of workmen and the salary sheets of all the workmen. The Party I also examined Shri Jagdesh Deuskar who claimed that he was also working as second class master. He has also corroborated the case of Surendra Naik as regards to their date of joining, nature of work, salary of all the workmen and that they have been refused employment by Party II.

10. Shri Ramakant Majalekar examined by Party I claimed that he was working as Sukani on the said barge. He has also specified the nature of work and salary of other workmen. Shri Digamber Naik has stated that he was working as Oilman and that they filed the complaint in respect of illegal refusal of employment w.e.f. 16-9-2012 by the management. He has also specified the nature of work, the date of joining and the salary being paid by the management to the other workmen. Shri Bhanudas Naik also claimed that he was working as Sukani like Shri Ramakant Majalekar and that they have been illegally refused their employment by Party II. Shri Dharamraj Bind was working as Sailor as claimed by him in affidavit in evidence. He has also corroborated the case as stated by other witnesses. Needless to mention, the burden to prove the above issue lies on the workmen. The Party I workmen have led oral as well as documentary evidence to prove the above issue. The Party I therefore, have sufficiently discharged the burden of proving issue No. 1. Hence, the above issue is answered in the affirmative.

Issue No. 2 & 3:

11. Needless to mention, the Party I have proved that the action of the Party II in terminating their services w.e.f. 16-9-2012 is illegal and unjustified. The next question therefore is what reliefs the Party I is entitled to, once it is held that the discharge/termination is illegal, whether the Party I is entitled for re-instatement with full back wages and continuity in service with

consequential benefits attached to the post or adequate monetary compensation in lieu of reinstatement and back wages. It has been consistently held by the Hon'ble Apex Court that relief by way of reinstatement with back wages is not automatic, even if termination of an employee is found to be illegal or is in contravention of the prescribed procedure and that monetary compensation in lieu of reinstatement and back wages in cases of such a nature may be appropriate. It is also well settled that the Court in appropriate cases grant compensation in lieu of reinstatement keeping in view the length of service rendered by a workman, the wages that he was receiving during that period, which would meet the ends of justice.

12. In the instant case, the Party I workmen at Sr. No. 1 and 2 were working as Masters, Workmen at Sr. No. 3 and 4 were working as Drivers, Workmen at Sr. No. 5 and 6 were working as Sukanis, whereas, Workmen at Sr. No. 7 and 8 were working as Oilmans and Workmen at Sr. No. 9 and 10 were working as Sailors. There is also no dispute that as per documents, the workmen have been refused employment since 2012 i.e. for last six years and that their last drawn salary of Masters, Drivers, Sukani, Oilmen and Sailors were Rs. 23,000/- per month, Rs. 16,000/- per month, Rs. 15,000/- per month, Rs. 12,000/- per month and Rs. 11,000/- per month respectively. The evidence on record show that the Party I workmen were refused service without assigning any reasons and that they had been working for last 15 years. There is no dispute that the vessel 'Mahima' has been disposed and that there are no vessels being operated by Party II and therefore Party I are not entitled to reinstatement in service.

13. There is no dispute that the Party I workmen were summarily terminated without paying any legal dues. There are salary slips on record showing last drawn wages, the Party I workmen were drawing at the time of refusal of service, according to which Masters were drawing salaries of Rs. 23,000/- per month; Drivers... Rs. 16,000/- per month; Sukanis... Rs. 15,000/- per month; Oilmans... Rs. 12,000/- per month and Sailors... Rs. 11,000/- per month. Therefore, considering that the Party I workmen had put in services of about 15 years of service and they are not paid any compensation since the date of refusal of service, i.e. for a period of 6 years and that the Party I workmen were earning the salary as stated above, it would translate into salary for the Masters of Rs. 2,76,000/- per annum, which would be around Rs. 16,56,000/- (Rupees Sixteen lakhs fifty six thousand only) representing wages for about 6 years and

considering that the said workmen would be entitled for 50% of the total wages for said period, it would translate into Rs 8,28,000/- (Rupees Eight lakhs twenty eight thousand only). Similarly, salary for the Drivers of Rs. 1,92,000/- per annum, would be around Rs. 11,52,000/- (Rupees Eleven lakhs fifty two thousand only) representing wages for about 6 years and considering that the said workmen would be entitled for 50% of the total wages for the period, it would translate into Rs. 5,76,000/- (Rupees Five lakhs seventy six thousand only).

14. Similarly, salary for the Sukani of Rs. 1,80,000/- per annum, would be around Rs. 10,80,000/- (Rupees Ten lakhs eighty thousand only) representing wages for about 6 years and considering that the said workmen would be entitled for 50% of the total wages for said period, it would translate into Rs. 5,40,000/- (Rupees Five lakhs forty thousand only). Similarly, salary for the Oilman of Rs. 1,44,000/- per annum, would be around Rs. 8,64,000/- (Rupees Eight lakhs sixty four thousand only) representing wages for about 6 years and considering that the said workmen would be entitled for 50% of the total wages for said period, it would translate into Rs. 4,32,000/- (Rupees Four lakhs thirty two thousand only). Similarly, salary for the Sailor of Rs. 1,32,000/- per annum, would be around Rs. 7,92,000/- (Rupees Seven lakhs ninety two thousand only) representing wages for about 6 years and considering that the said workmen would be entitled for 50% of the total wages for said period, it would translate into Rs. 3,96,000/- (Rupees Three lakhs ninety six thousand only) and having considered the nature of appointment, the length of service and the time taken to settle the dispute, ends of justice would be met, if the Party I workmen are paid the above referred monetary compensation to the workmen which would be just, proper and equitable in the facts and circumstances of the case. Hence, the above issues are answered accordingly.

15. In the result, I pass the following:

ORDER

- (i) The present reference stands partly allowed.
- (ii) It is hereby held that action of the management of M/s. Vishal Shipping Co. Private Limited, Vasco-da-Gama, Goa, in terminating the services of workmen mentioned in the schedule, with effect from 16-09-2012, is illegal and unjustified.

(iii) The Party II is directed to pay monetary compensation of the amount referred in Para 13 and Para 14 above within 60 days of the publication of the Award, failing which the Party II shall pay an interest @ 9% per annum.

(iv) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/3/2018-LAB/Part-I/809

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 12-11-2018 in reference No. IT/32/08 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).
Porvorim, 17th December, 2018.

IN THE INDUSTRIAL AND LABOUR COURT

GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/32/08

Shri Joseph Norbert D'Souza,
H. No. 748/A, Portavaddo,
Siolim, Bardez-Goa. ... Workman/Party I
V/s

M/s. Acron Lifestyles Pvt. Ltd.,
Acron Arcade 283,
Fort Aguada Road, Candolim,
Bardez, Goa-403 515. ... Employer/Party II
Workman/Party I represented by Ld. Adv. Shri V. Menezes.
Employer/Party II represented by Ld. Adv. Shri P. Chawdikar.

AWARD

(Delivered on this the 12th day of the month of November of the year 2018)

By Order dated 12-09-2008, bearing No. 28/140/2008-LAB/1343, the Government of Goa in exercise of powers conferred by Section 10(1)(d) of the

Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to this Tribunal for adjudication.

- (1) *Whether Shri Joseph Norbert D'Souza, Café Supervisor, at M/s. Acron Lifestyles Private Limited, Candolim, Bardez, Goa, can be construed as a "workman" as defined under Clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?*
- (2) *If the answer to issue No. (1) above is in the affirmative, then whether the action of the management of M/s Acron Lifestyles Private Limited, Candolim, Bardez, Goa, in terminating the services of Shri Joseph Norbert D'Souza, Café Supervisor, with effect from 04-07-2007, is legal and justified?*
- (3) *If the answer to issue No. (2) above is in the negative, then to what relief the workman is entitled?"*

2. Upon receipt of the reference, it was registered as IT/32/08 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim Statement at Exhibit 7 and Party II filed a Written Statement at Exhibit 13.

3. In short, the case of the Party I is that he was employed with Party II as a Café Supervisor on permanent basis. The Party II is engaged in running a business which consists of shopping complex. The Party I carried out his duties in a responsible and efficient manner till the date of his illegal termination w.e.f. 4-7-2007. The acts of Party II amounted to misconduct and violation of terms of contract. The termination of Party I is illegal and untenable in law. Hence, the reference.

4. In the Written statement, the Party II claimed that the Party I is not a workman as defined under Section 2(s) of the Industrial Disputes Act as he was performing supervisory duties. The Hon'ble Tribunal has no jurisdiction to entertain the present dispute. The acts of Party I amounted to misconduct and violation of terms of contract. The Party I is not entitled for any reliefs.

5. In the rejoinder at Exhibit 17, Party I denied the case of the Party II as stated in the written statement.

6. Issues came to be framed at Exhibit 18.

7. In the course of proceedings, the parties arrived at an amicable settlement and filed consent terms dated 09-11-2018 at Exh. 48 colly along with a receipt towards full and final settlement of all the claims.

8. The consent terms are reproduced here-in-below:

- (1) It is agreed between the parties to settle the dispute amicably for a composite amount of Rs. 75,000/- (Rupees Seventy five thousand only) before this Hon'ble Court and accordingly Party II has issued Demand Draft dated 8th November, 2018 drawn on HDFC Bank Ltd., Candolim Branch, bearing No. 006255 in favour of Party I.
- (2) The Party I herein has agreed to accept a sum of Rs. 75,000/- (Rupees Seventy Five thousand only) in full and final settlement of his entire claim against Party II in the present matter.
- (3) The Party I herein declares that on receipt of the aforesaid full and final, composite monetary settlement, his claims in the present matter are conclusively settled or withdrawn, including the claim for re-instatement of employment with the Party II.
- (4) The Party I states, agrees and confirms that he has no claims, demands of whatsoever nature against the Party II/Employer; that he does not wish to pursue the present matter and treat the matter as settled and closed and that neither he nor any person(s) claiming through or under him shall make any claims, demands or disputes or initiate any legal proceedings in any Court of law, Tribunal or other Quasi-judicial authority against the Party II.
- (5) Pursuant to the settlement of the present matter, the Party II shall herewith withdraw the Writ Petition No. WP/855/2018 filed by them, that is pending before the High Court of Bombay at Goa.

9. The above consent terms are signed by the Party I workman, Shri Joseph N. D'Souza along with his Adv. Shri A. Shirodkar, so also Dr. John Britto, Director of Party II along with his Adv. Shri P. Chawdikar on behalf of Party II. I have gone through the consent terms filed as above, which in my view, are just and fair and in the interest of both the Workman/Party I as well as Employer/Party II and hence, the same are accepted.

10. In view of above, I pass the following:

ORDER

- i. The reference at the instance of Party I Workman, stands disposed of in view of the consent terms filed by both the parties at Exhibit 48 colly.

- ii. No order as to costs.
- iii. Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/3/2018-LAB/Part-III/806

The following award passed by the Labour Court-II, at Panaji-Goa on 26-11-2018 in reference No. LC-II/IT/10/2017 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).
Porvorim, 17th December, 2018.

THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. LC-II/IT/10/2017

Shri Satyawan Gurav,
Rep. by the Gen. Secretary,
Goa Trade & Commercial
Workers Union,
Velho's Bldg., Panaji-Goa. ... Workman/Party I
V/s

M/s. Goa Bagayatdar
Sahakari Kharedi
Vikri Saunstha Maryadit,
Ponda-Goa. ... Employer/Party II
Party-I/Workman is represented by Adv. Shri Suhas Naik.

Party-II/Employer is represented by Adv. Shri A.V. Nigalye.

Panaji, Dated: 26-11-2018.

AWARD

1. In exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa, by Order dated 14-06-2017, bearing No. 28/51/2015-Lab/429 referred the following dispute for adjudication to this Labour Court II of Goa at Panaji-Goa.

- "(1) Whether the action of the management of M/s. Goa Bagayatdar Sahakari Kharedi Vikri Saunstha Maryadit, Ponda, Goa in re-designing Shri Satyawan Zilu Gurav to the post of Mapari/Peon with effect from 01-04-2014 from his original post of Peon amounts to demotion as contended by the Goa Trade and Commercial Workers' Union?
- (2) If the answer to issue No. (1) above is in the affirmative, then, what relief the workman is entitled to?"

2. On receipt of the reference, a case was registered under No. LC-II/IT/10/17 and registered A/D notice was issued to the Parties. In pursuance to the said notice, the Parties put in their appearance. The Workman/Party-I (for short 'Workman'), filed his Statement of Claim on 12-06-2018 at Exhibit 5. The facts of the case in brief as pleaded by the Workman are that he joined the services of the Employer/Party-II (for short "Employer") as 'Mapari' in the year 1999. He stated that he was confirmed on 01-11-2002. He stated that when he joined as a Mapari, the management of the Employer assigned him the job of peon and was asked to do the job of peon ever since his date of joining. He stated that he was promoted to the post of peon w.e.f. 01-06-2007 and posted at the head office of the Employer at Ponda. He stated that as a peon, he was performing the duties such as day to day checking of files at the instructions of his superior, depositing cash as well as cheques in the banks of various branches, collection, receipts from branches of the Employer outlets and handing the same to cashier etc. and doing the filling work under the supervision and control of his superior.

3. He stated that on 01-04-2014, he was awarded a punishment as and by way of demotion order dated 29-03-2014 as there was some misunderstanding between him and his superior officer. He stated that this resulted in his transfer and also demotion to the post of Mapari from the post of Peon. He stated that even after raising the present dispute as above, he joined at his transferred place at Marcel at the outlet of the Employer under protest and worked from 01-04-2014 till 01-04-2018. He stated that he was thereafter again transferred from Marcel to Mapusa market yard. He stated that he joined at Mapusa market yard and after working for two days, the manager of the Employer at Mapusa has refused him employment w.e.f. 03-04-2018 as the said manager has failed to provide him duties and kept idle without allotting him any work. Being

aggrieved with the said transfer as well as demotion order, he preferred an industrial dispute before the office of Labour Commissioner, Ponda, Goa, which resulted in failure.

4. The Workman contended that the aforesaid act of the management of the Employer is an act of victimization, harassment and unfair labour practice. He submitted that the punishment of demotion issued to him is illegal, unjustified and bad-in-law and in violation of the principles of natural justice. The workman therefore submitted that he is entitled to be reverted back to his original designation i.e. Peon w.e.f. 01-04-2014. The Workman therefore prayed that he be reverted back to his designated post of peon w.e.f. 01-04-2014 with all consequential benefits attached to the said post including the arrears of pay and that the action of the Employer in demoting him from the post of peon to the post of mapari with effect from 01-04-2014 be held as illegal, unjustified and bad-in-law.

5. On 06-09-2018, Ld. Adv. Shri Suhas Naik appearing for the Workman as well as Ld. Adv. Shri A.V. Nigalye appearing for the Employer remained present and jointly submitted that they are trying to settle the matter amicably between the parties. Accordingly, on 26-11-2018, both the aforesaid Advocates along with their parties respectively remained present before this court and filed a consent terms, which is on record at Exb. 6 and submitted that the reference be disposed off in terms of the consent terms by passing consent award. The said terms of settlement are reproduced hereunder:

- a. The Workman/Party I, by letter dated 11-10-2018 addressed to the managing director of the Employer/Party II, has expressed regrets for his misconduct of not wearing the uniform for the post of Mapari and other misconducts and has further undertaken that he shall wear the uniform for the said post. He has requested that he may be pardoned and reinstated in service. The Workman/Party I hereby reiterates his regrets for his misconducts of not wearing the uniform and for other misconducts alleged against him in the charge-sheets dated 31-01-2017 and 27-04-2018 and undertakes that he will wear the uniform and perform all duties of Mapari. The Employer/Party II accepts the regrets expressed by the Workman/Party I.
- b. The Employer/Party II shall reinstate the Workman/Party I to the post of mapari and issue him the order of his posting in any of

the establishments of the Employer/Party II. The Workman/Party I shall join the duties as mapari at the said post/establishment from 01-12-2018.

- c. The Workman/Party I shall not be entitled to any wages or emoluments from the date of his suspension till 30-11-2018.
- d. The Employer/Party II shall withdraw the charge-sheets dated 31-01-2017 and 27-04-2018 issued to the Workman/Party I and the order of his suspension dated 10-05-2018. The charge-sheets and the order of suspension shall be treated as withdrawn from 01-12-2018.
- e. The parties hereby declare that all disputes between the Workman/Party I and the Employer/Party II involved in Reference No. LC-II/IT/10/2017 are settled with the signing of these consent terms and the parties shall not have any claim or demand against each other in the said reference.

I have carefully perused the said terms of settlement signed by and between the parties hereinabove. The said terms of settlement are beneficial to both the parties. Hence, I consented for the same. Since the dispute under reference is settled between the parties, I hold that the dispute under present reference does not survive.

In view of the above, I proceed to pass the following order:

ORDER

1. It is held that the action of the management of M/s. Goa Bagayatdar Sahakari Kharedi Vikri Sauntha Maryadit, Ponda, Goa in re-designing Shri Satyawan Zilu Gurav to the post of Mapari/Peon with effect from 01-04-2014 from his original post of Peon amounts to demotion as contended by the Goa Trade and Commercial Workers' Union?, does not survive.
2. The workman Satyawan Gurav, is not entitled to any relief.
3. No order as to costs.

Inform the Government accordingly.

Sd/-
(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.

Notification

No. 28/3/2018-LAB/Part-I/807

The following award passed by the Labour Court-II, at Panaji-Goa on 08-10-2018 in reference No. LC-II/IT/07/2014 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 17th December, 2018.

THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. LC-II/IT/07/2014

Shri Dayanand Kambli,
Rep. by the General Secretary,
Kadamba Kamgar Union,
BG-10, Gr. Floor,
Casa Immaculade,
Jose Falcao Road,
Near Panjim Church,
Panaji-Goa.

... Workman/Party I

V/s

M/s. Kadamba Transport
Corporation Ltd.,
Paraise de Goa,
Alto-Porvorim, Goa.

... Employer/Party II

Workman/Party-I represented by Adv. Shri A. Kundaikar.

Employer/Party-II represented by Adv. Shri P. Agarwal.

Panaji, Dated: 08-10-2018.

AWARD

1. In exercise of the powers conferred by Section 10 (1) (c) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa, by Order dated 30-09-2014, bearing No. 28/24/2014-Lab/572 referred the following dispute for adjudication to this Labour Court-II of Goa at Panaji, Goa.

"(1) Whether the demand of the Kadamba Kamgar Union pertaining to anomaly in pay fixation of Shri Dayanand C. Kambli, Heavy Vehicle Driver, by M/s Kadamba Transport

Corporation Limited, Porvorim, Goa, thereby depriving the monetary benefits with effect from July, 2007, is legal and justified?

(2) If not, what relief, the workman is entitled to?"

2. On receipt of the reference, a case was registered under No. LC-II/IT/07/2014 and registered A/D notice was issued to the Parties. In pursuance to the said notice, the Parties put in their appearance. The Workman/Party-I (for short 'Workman'), filed his Statement of Claim on 21-11-2014 at Exb. 5. The facts of the case in brief as pleaded by the workman are that he is working with the Employer/Party-II (for short, 'Employer') as Heavy Vehicle Driver and is presently posted at Vasco depot. He stated that he joined in the services of the Employer on daily wages w.e.f. 02-05-1994. He stated that he was taken on probation w.e.f. 01-03-1995 in the pay scale of Rs. 3050-75-3950-80-4590. He stated that he raised a dispute in respect of the withholding of two annual increments with cumulative effects for the year 1998 and 1999. He stated that the said dispute was settled by him in reference No. REF/37/12 and accordingly, an award in terms of settlement was passed by the Hon'ble Tribunal. He stated that the Employer was pleased to implement Modified Assured Career Progression Scheme (MACPS) w.e.f. 01-09-2008 as per the board resolution No. 110/11. He stated that as the order dated 18-03-1998 for stoppage of two annual increments without cumulative effect for the year 1998 and 1999 is revoked with prospective effect, he was entitled for financial up-gradation under the MACPS which is presently effective with the Employer. He stated that as he was appointed on regular basis from 01-03-1995, he was entitled for first financial up-gradation in the year 2005. The Workman challenged the anomaly in his pay fixation and deprivation of the monetary benefits on the following grounds.

3. He submitted that he is entitled for the first up-gradation on completion of 10 years of service in accordance with the MACPS as the Employer has revoked the order dated 18-13-1998 without cumulative effect. He submitted that the Employer cannot differ the grant of first financial up-gradation on the pretext of penalty which has been revoked by the Employer. He submitted that the Employer by its reply dated 26-11-2013 filed before the Asstt. Labour Commissioner admitted that the punishment of stoppage of annual increments of 1998 and 1999 has been revoked and as such he is eligible for financial up-gradation

under the MACP scheme. He submitted that on account of non-implementation of first financial up-gradation, there is disparity in his pay fixation resulting in depriving the monetary benefits. He submitted that the action of the Employer in depriving him the monetary benefits is illegal and malafide without any reasonable ground. He submitted that the action of the Employer is smacks of malifide and is an ex-facie instance of unfair labour practice. He submitted that his case is gross wherein the workmen have been compelled to seek sanctuary in portals of the Hon'ble Tribunal. He submitted that he is grossly discriminated against the whims and caprices of unmoving bureaucracy. He submitted that the illegal deprivation of the monetary benefits with effect from July 2007 is not fair and is not inconsistent with the principles of natural justice. The Workman therefore prayed that an award be passed holding that the workman is entitled for monetary benefits from July, 2007 and release the monetary benefits from July, 2007 with interest @12% p.a. with continuity in service, benefits and privileges attached to post.

4. The Employer resisted the claim of the Workman by filing its reply dated 06-02-2015 at Exb. 9. The Employer stated that it is a Government Company and also a State Transport Undertaking under the Provisions of Motor Vehicles Act, 1988. The Employer stated that he provides transport services to the traveling public within the State of Goa and also to the neighbouring States like Maharashtra and Karnataka. The Employer stated that the Workman filed his statement of claim not only with distorted facts but also suppressed material facts from this Hon'ble Court and also made misleading statements. The Employer stated that the various types of benefits/facilities as extended by the Government of Goa to its employees are not directly made applicable to its employees including the workman but the same are made applicable only after the approvals of the board of directors as its policy makers which is constituted as per the articles of association. The Employer stated that the MACPS was made applicable in the corporation on 01-09-2008 notionally and monetary benefits w.e.f. 01-01-2012. The Employer stated that as per the MACPS issued by the Government it is stated at para 15 of the said scheme that for any employee if the financial up-gradation under MACPS is deferred and not allowed after 10 years in a grade pay due to the reason of the employee being unfit or due to departmental proceedings etc. this could have consequential effect on the subsequent financial up-gradation which would also get deferred to the

extent of delay in first financial up-gradation. The Employer submitted that the Workman is not entitled for any relief as prayed in his claim statement and as such the claim of the Workman be dismissed as not maintainable.

5. The Employer stated that the Workman was appointed on probation as Heavy Vehicle Driver w.e.f. 08-03-1995. The Employer stated that at the relevant time in the year 2005 the scheme in force was Time Bound Promotional Scheme (TBPS) and not MACPS. The Employer stated that the punishment of stoppage of increments of 1998 and 1999 has been revoked with prospective effect i.e. from 09-05-2013. The Employer denied the overall pleadings as pleaded by the Workman and prayed for dismissal of the present reference.

6. Thereafter, the Workman filed his re-joinder on 26-02-2015 at Exb. 10. The Workman, by way of his Re-joinder, confirms and reiterates all his submissions, averments and statements made in his Claim Statement to be true and correct and denied all the statements, averments and submissions made by the Employer in its Written Statement, which are contrary to the Statement and averments made in his Claim Statement.

7. Based on the pleadings filed by the parties herein above, this Court framed the following issues on 27-01-2016 at Exb. 26.

1. Whether the Workman/Party I proves that there exists an anomaly in his pay fixation?
 2. Whether the Workman/Party I proves that the anomaly in his pay fixation deprived him the monetary benefits w.e.f. July, 2007?
 3. Whether the Workman/Party I proves that the anomaly in his pay fixation w.e.f. July, 2007, is illegal and unjustified?
 4. Whether the Employer/Party II proves that the Workman is not entitled for any relief in view of the allegations made in para 5 and 11 of its written statement?
 5. Whether the Workman/Party I is entitled to any relief?
 6. What order? What Award?
8. My answers to the aforesaid issues are as under:
- (a) Issue No. 1 : In the negative.
 - (b) Issue No. 2 : In the negative.
 - (c) Issue No. 3 : In the negative.
 - (d) Issue No. 4 : In the affirmative.
 - (e) Issue No. 5 and 6: As per final order.

I have heard the oral arguments of Ld. Adv. Shri A. Kundaikar appearing for the Workman as well as Ld. Adv. Shri P. Agarwal appearing for the Employer.

9. Ld. Adv. Shri A. Kundaikar, representing the Workman during the course of his oral arguments submitted that the Workman was appointed as a Heavy Vehicle Driver by the Employer w.e.f. 02-05-1994 on daily wages. He submitted that the Workman was taken on probation w.e.f. 01-03-1995 in the pay scale of Rs. 3050-75-3950-80-4590. He submitted that the Workman had raised a dispute in respect of the withholding of two annual increments with cumulative effect for the year 1998 and 1999. He submitted that the said dispute was registered before the Industrial Tribunal as ref No. REF/37/12. He submitted that the said dispute was settled between the parties and the award in terms of the said settlement was passed by the Hon'ble Industrial Tribunal. He submitted that the Employer was pleased to implement MACPS w.e.f. 01-09-2008 as per its board resolution No. 110/11. He submitted that as the order of stoppage of annual increment was revoked, the service record of the Workman was unblemished. He submitted that the Workman is therefore entitled for first financial up-gradation in the year 2005 in the said MACPS. He submitted that the prevised scale of the Workman in sixth pay would have been in Rs. 4000-100-6000+Grade Pay of Rs. 2800/-. He submitted that the circular issued by the Government from time to time forms law and as such need not be produced on record. He submitted that in support of his oral submissions, he relied upon office memorandum dated 19-05-2009 issued by the Government of India, Ministry of Personnel, Public Grievances and Pension as well as office memorandum dated 03-01-2013 issued by Government of India, Ministry of Finance, Department of Expenditure. He also relied upon a copy of extract of a judgment in the case of **State Bank of Bikaner and Jaipur v/s. Om Prakash** of Hon'ble Supreme Court of India.

10. Per contra, Ld. Adv. Shri P. Agarwal, representing the Employer, during the course of his oral arguments, submitted that the Employer is a Government Company registered under the provisions of the Companies Act, 1956. He submitted that the various types of benefits/ /facilities as extended by the Government of Goa to its employees are not directly made applicable to its employees including the Workman, but the same are made applicable only after the approvals of its board of directors as its policy makers which is constituted as per the Articles of Association.

He submitted that MACPS was made applicable to the Employer Corporation from 01-09-2008 notionally and monetary benefits w.e.f. 01-01-2012. He submitted that in terms of Clause 15 of the said MACPS, for any employee if the financial up-gradation under MACPS is deferred and not allowed after 10 years in a grade pay, due to the reason of the employee being unfit or due to departmental proceedings etc. this could have consequential effect on the subsequent financial up-gradation which would also get deferred to the extent of delay in first financial up-gradation.

REASONS

11. Issue No. 1 and 2:

The burden to prove the issue No. 1 and 2 was cast on the Workman. The Workman has to prove the said issue No. 1 and 2 by leading cogent evidence. The Workman has however, failed to prove the said issue No. 1 and 2 by leading positive evidence. Thus, there is nothing on record to show that there exist an anomaly in the pay fixation of the Workman w.e.f. July, 2007.

The sole witness of the Employer, Shri V. D. Harmalkar, the Personnel Manager of the Employer, during the course of his cross-examination, stated as under:

"I say that the Workman after completing 12 years of service i.e. on 08-03-2007 then he would have been entitled for the Time Bound Promotional Scale (T.B.P.S.) provided that he shall not be disqualified for the same due to pendency of disciplinary enquiry or interrupted service. I say that a disciplinary enquiry was pending against the Workman in and around 1998."

12. The evidence on record indicates that the MACPS was made applicable to the workers of the Employer Corporation by resolution No. 110/11 passed by its Board of Directors in its 176 BOD meeting and it was made applicable to the employees of the Employer notionally for the first time w.e.f. **01-08-2009**. Benefits to its employees were factually and monetarily extended w.e.f. **01-01-2012**.

13. The sole witness of the Employer, Shri V. D. Harmalkar, the Personnel Manager of the Employer further stated that *"It is correct that I have signed the said annual increment releasing letters of the drivers on behalf of the Employer. A xerox copy of the said letter of the Employer dated 22-07-2016 is taken on record and marked as Exb. 42-cross. It is correct that the annual increment of all the 595*

drivers of the Employer were released by one and the same order at Exb. 42-cross. It is correct that the name of the Workman under reference is reflected in the said letter at Exb. 42-cross at serial No. 224 and his grade pay has been shown as Rs. 2000/- as on 01-07-2016. It is correct that in the said document at serial No. 223, the driver namely Shri Sadanand Ramji is appearing and his grade pay is shown as Rs. 2800/- as on 01-07-2016. It is correct that the driver Shri Sadanand D. Ramji and the Workman under reference were appointed vide order of the Employer dated 13-03-1995 at Exb. 31-cross. I admit that there is anomaly in pay fixation of the driver, Shri Sadanand D. Ramji and the Workman under reference, since both the said drivers were appointed on one and the same order. The order of the Employer dated 13-03-1995 which is on record at Exb. 31 (cross) indicates that the said Shri Sadanand D. Ramji and the Workman under reference were appointed by the said order on probation for the initial period of six months w.e.f. 08-03-1995 in the pay scale of Rs. 950-20-1150-EB-25-1600."

14. From the aforesaid deposition of the sole witness of the Employer, it indicates that at the first blush, the Employer has admitted that there was anomaly in the pay fixation of the driver, Shri Sadanand D. Ramaji and the Workman. However, there is nothing on record that the present Workman and the said Shri Sadanand Ramji is similarly placed even in terms of disciplinary proceedings. It is not the case of the Workman under reference that the said Workman Shri Sadanand Ramji was given the benefit despite disciplinary proceedings. The word 'anomaly' applied is entirely misconceived. The said order dated 22-07-2016 is on record at Exb. 42-cross. The said MACP was made applicable to the employees of the Employer Corporation including the Workman for the first time w.e.f. 01-08-2009 notionally. Monetary benefits were granted to its employees w.e.f. 01-01-2012. The evidence on record indicates that by order dated 18-03-1998 at Exb. 32-cross, the Dy. General Manager (Traffic) of the Employer imposed a punishment of stoppage of two annual increments with cumulative effect for the year 1998 and 1999. The evidence on record indicates that the Workman raised dispute against the said punishment of stoppage of two annual increments with cumulative effect for the year 1998 and 1999. The said dispute was registered as case No. Ref/37/12 of the Industrial Tribunal-cum-Labour Court, Panaji, Goa. The said dispute was disposed off by consent award dated 09-05-2013 at Exb. 28. In terms of Clause 1 of the terms of settlement, it is stated that "it is agreed between the parties that

the order dated 18-03-1998 for stoppage of two annual increments without cumulative effect for the years 1998 and 1999 shall be revoked with prospective effect i.e. from the date of filing the present consent term before the Hon'ble Tribunal." It means that the Employer had already stopped the two annual increments without cumulative effect for the year 1998 and 1999. However, the penalty has been revoked prospectively w.e.f. 09-05-2013. There is nothing on record to show that there was an anomaly in the pay fixation of the Workman w.e.f. July, 2007. Hence, it is held that the Workman failed to prove that there exist an anomaly in the pay fixation of the Workman w.e.f. July, 2007. The issue No. 1 and 2 are therefore answered in the negative.

15. Issue No. 3 and 4:

While deciding the issue No. 2 hereinabove, I have discussed and come to the conclusion that the Workman failed to prove that there exists an anomaly in his pay fixation w.e.f. July, 2007. Therefore, there is no question of depriving the monetary benefits to the Workman w.e.f. July, 2007.

16. Even otherwise, by the present reference, the Workman challenged the anomaly in his pay fixation and deprivation of the monetary benefits in para 9 of his claim statement. Upon careful perusal of para 9 of the claim statement, it appears that the Workman contended that he has not been given benefits of MACPS though eligible. The sole witness of the Employer, in his cross-examination stated that "it is correct that the Workman was appointed on probation by order of the Employer dated 13-03-1995 w.e.f. 08-03-1995. It is correct that the Workman alongwith eight other workmen were appointed by the Employer vide its order at Exb. 31-cross. It is correct that the Workman was entitled for his first increment in the pay scale of one year of service w.e.f. 08-03-1996."

The evidence on record indicates that the Employer made applicable the MACPS to its employees for the first time w.e.f. 01-08-2009 notionally and monetary benefits w.e.f. 01-01-2012. Hence, I do not find any merits in the submissions of Ld. Adv. Shri A. Kundaikar, appearing for the Workman that the Workman was entitled to the benefits of the MACP Scheme. The issue No. 3 is therefore answered in the negative and the issue No. 4 is answered in the affirmative.

17. Issue No. 5:

While deciding the issue No. 3 hereinabove, I have discussed and come to the conclusion that the Workman failed to prove that there exist an

anomaly in pay fixation of the Workman w.e.f. July, 2007 and the same is illegal and unjustified. The Workman is not entitled to any relief from this court. The issue No. 5 is therefore answered in the negative.

In view of the above discussion and with regards to the facts and circumstances of the case, I pass the following order:

ORDER

1. It is held that the Kadamba Kamgar Union failed to prove that there exist an anomaly in pay fixation of Workman with effect from July, 2007.
2. It is further held that the dispute as to whether the demand of the Kadamba Kamgar Union pertaining to anomaly in pay fixation of Shri Dayanand C. Kambli, Heavy Vehicle Driver, by M/s Kadamba Transport Corporation Limited, Porvorim, Goa, thereby depriving the monetary benefits with effect from July, 2007, is legal and justified, does not survive.
3. It is further held that the Workman, Shri Dayanand C. Kambli, Heavy Vehicle Driver, is not entitled to any relief.
4. No order as to costs.

Inform the Government accordingly.

Sd/-
(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.

◆◆◆
Department of Panchayati Raj and
Community Development
Directorate of Panchayats

Notification

No. 19/115/DP/PAN/BAC/18/8503

The Government of Goa is hereby pleased to reconstitute the Block Advisory Committees (B.A.C.) for every Block to advice the Block Development Officers in implementation of the developmental schemes in Block, and for direct interaction between the Officials and non-Officials.

The B.A.C. shall consist of the following members:-

Non-Official Members:

- 1) Member of Parliament of the concerned Lok Sabha/Rajya Sabha Constituency wherein Block falls — Member.

- 2) Members of the Legislative Assembly of the concerned Assembly Constituency falling within the Block — Members.
- 3) Elected Members of Zilla Panchayat from the concerned Block — Members.
- 4) The Sarpanchas of the Village Panchayats from the concerned Block — Members.
- 5) One Co-opted Member of the Village Panchayat elected by the co-opted members of the Village Panchayats from the concerned Block — Member.
- 6) One member of the Mahila Shakti Abhiyan nominated by the Government — Member.
- 7) Two to Three Members nominated by the Government from amongst persons who have special knowledge of practical experience in respect of such matters as literature, Science, Art and Social service — Member.

Official Members:

- 1) All the Directors of various Directorates and Principal Chief Engineer of the Public Works Department, Chief Engineer of the Water Resources Department and Chief Engineer of the Electricity Department — Members.
- 2) The Block Development Officer of the concerned Block shall be the Member Secretary of the Committee constituted for that Block

The Chairperson and Vice-Chairperson of the Committee shall be Sarpanchas duly elected by the Sarpanchas of the Village Panchayats falling under concerned Block, as Chairperson and Vice-Chairperson of Committee.

The post of Chairperson in the Blocks of Bardez, Mormugao, Quepem and Satari shall be reserved for Women. The post of Vice-Chairperson in the Blocks of Bicholim, Pernem, Salcete and Tiswadi shall be reserved for Women.

The initial term of the B.A.C. shall be up to 31st of August, 2020.

The Meeting of the B.A.C. shall be held once in a quarter in the Office of the concerned Block Development Officer. The expenditure of the

meeting shall be borne by the Block Development Officer from the funds of the Block. The non-official members shall draw the T.A. and D.A. to attend the meeting from the funds of the concerned Panchayat Raj Institutions.

By order and in the name of the Governor of Goa.

Rajan Satardekar, Director & ex officio Joint Secretary (Panchayats).

Panaji, 17th December, 2018.

Department of Personnel

Order

No. 15/19/2012-PER(Part)/3362

Read: Memorandum No. 15/19/2012-PER (Part) dated: 12-07-2018.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/42(2)/2017/18 dated 17-04-2018, the Governor of Goa is pleased to appoint the following candidates to the post of Mamlatdar/Joint Mamlatdar/Assistant Director of Civil Supplies (Group "B" Gazetted) under the Government of Goa in Level-7 of pay matrix, with immediate effect.

- 1) Shri Kaushik Balkrishna Dessai.
- 2) Smt. Sanjivani Jayanrath Satardekar (OBC).
- 3) Shri Gaurav Sagun Gaunkar (ST).

The above candidates have been declared medically fit by the Medical Board, vide letter dated 26-05-2018 & 14-06-2018 & the character and antecedents of the candidates are verified by respective District Magistrate vide letter dated 03-09-2018 & 05-09-2018 wherein no adverse remarks have been reported.

The genuineness of education qualification certificates of all the candidates have been verified and found correct by the Goa University, Taleigao, as informed vide letter dated 20-08-2018.

The Other Backward Class Certificate bearing No. 270520151121/755 dated 29-05-2015 issued by the Dy. Collector/Sub Divisional Officer, Mapusa-Goa in respect of candidate at Sr. No. 2 is verified by the Scrutiny Committee and is held valid as per the certificate dated 09-11-2018 issued by the Directorate of Social Welfare Department.

The Scheduled Tribe Certificate bearing No. 2017/5848/2/7/1784/399 dated 03-08-2017 issued by the Deputy Collector/Sub Divisional Officer, Quepem, Goa, in respect of candidate at Sr. No. 3 is verified by the Scrutiny Committee and is held valid by the Director, Directorate of Tribal Welfare, vide certificate of verification No. 1/11/2018-VER/DTW/ST/36/4514 dated 10-09-2018.

The above appointees shall be on probation for a period of two years.

The pay and allowances of the above officers shall be debited to the Budget Head controlled by the respective Collectorates North/South.

They shall report to Personnel Department for further orders.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 14th December, 2018.

Order

No. 5/1/2018-PER/3350

Shri Vivek H. P., IAS, Deputy Collector & SDO, Bicholim shall hold the charge of the post of Deputy Collector & SDO, Sattari in addition to his own duties until further orders.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel).

Porvorim, 18th December, 2018.

Order

No. 5/40/84-PER(Vol-I)/3345

Read: Memorandum No. 5/40/84-PER (Vol-I)/3112 dated 26-11-2018.

On the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/1/5/34(1)/2017/750 dated 25-07-2017, Governor of Goa is pleased to appoint Shri Ajit M. Gaonkar as Principal in Government Polytechnic Curchorem, Cacora-Goa, in the Revised pay scale, Level 14 in the Pay Matrix, with immediate effect.

Shri Gaonkar shall be on probation for a period of one year.

The pay and allowances of the officer shall be debited to the Budget Head controlled by the Directorate of Technical Education, Porvorim, Bardez-Goa.

The Officer shall submit technical resignation before joining the post.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-II).
Porvorim, 18th December, 2018.

Order

No. 7/21/2017-PER/3667

Read: Order No. 14020/02/2018-UTS-1(Pt.) dated 15-12-2018.

The Governor of Goa is pleased to relieve Shri Dharmendra Sharma, IAS (AGMUT: 1988), Chief Secretary from this Administration with effect from 24-12-2018 (A.N.) for his next posting in Delhi.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 20th December, 2018.

Order

No. 15/12/96-PER/3387

Read: 1) Order No. 9/10/HLEC/2018-ARD dated 14-08-2018.

2) Letter No. 9/16/IDCO/2018-ARD/333 dated 26-10-2018.

The post of Data Entry Operator existing in District Collector (South) stands re-designated as Lower Division Clerk and their inter-se seniority shall be fixed as per rules in force, in terms of Clause 2(ii) of the order read in preamble (1).

This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth meeting held on 08-11-2017 vide order No. 1/1/2017/Addl. Secy (Per) dated 22-11-2017 issued by Department of Personnel; and as conveyed vide letter No. 9/10/HLEC/2018-ARD/242 dated 16-08-2018 and 12/1/5/2018-RD-I/752 dated 05-12-2018, issued by the Department of Administrative Reforms, Secretariat, Porvorim-Goa.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 20th December, 2018.

Department of Revenue

Order

No. 26/11/2015-RD/2647

Government is pleased on due recommendation to transfer the following Officials in the public interest and post them to the posting shown against their name with immediate effect.

Sr. No.	Name of the officer	Present posting	New place of posting	Additional charge
1	2	3	4	5
1.	Smt. Maya K. Amonkar, I.S.L.R., Panaji	Inspector of Survey & Land Records, City Survey, Panaji	—	Inspector of Survey & Land Records, Tiswadi.
2.	Smt. Anisha A. Matondkar, A.S.S.O., Panaji	Head Office as Assistant Survey & Settlement Officer and Additional charge ISLR, Vasco	Inspector of Survey & Land Records, Vasco	—
3.	Shri Rajesh R. Pai Kuchelakar, I.S.L.R., Mapusa	Inspector of Survey & Land Records, Mapusa	—	Inspector of Survey & Land Records, Pernem.
4.	Shri Savio Silveira, I.S.L.R., Margao	Inspector of Survey & Land Records, Margao	Inspector of Survey & Land Records, Quepem	Inspector of Survey & Land Records, Canacona.

1	2	3	4	5
5.	Shri Sudesh K. Naik Bhaireli, I.S.L.R., Quepem	Inspector of Survey & Land Records, Quepem and Canacona	Inspector of Survey & Land Records, Margao	—
6.	Shri Anand Vaigankar, I.S.L.R., Bicholim	Inspector of Survey & Land Records, Bicholim	—	Inspector of Survey & Land Records, Ponda.
7.	Smt. Vinita V. Kambli, I.S.L.R.	Newly promoted	Head Office as Assistant Survey & Settlement Officer	—

By order and in the name of the Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 14th December, 2018.

Department of Sports & Youth Affairs

Directorate of Sports & Youth Affairs

Order

No. SAG-03/ADM-Co/36th/Nat.Games/2014/3230

Read: Order No. SAG-3/ADM-CO/36th Nat Games/2014/595 dated 21-05-2015.

With reference to the above Order, the Government is pleased to delegate administrative and financial powers of Rs. 10 lakhs and Rs. 5 lakhs to the Chief Executive Officer, NGOC and Jt. Chief Executive Officer, NGOC, respectively.

By order and in the name of the Governor of Goa.

Anjali Sehrawat, IAS, Director & ex officio Joint Secretary (Sports & Youth Affairs).

Panaji, 18th December, 2018.

Department of Transport

Directorate of Transport

Notification

No. D.Tpt/EST/1997/(PF)2018/6266

Read: 1. Notification No. D.Tpt/EST/1997/(PF) 2017/791 dated 11-04-2017.

2. Notification No. D.Tpt/EST/1997/(PF) 2017/1775 dated 06-07-2017.

In pursuance of Article 68 of the Articles of Association of the Kadamba Transport Corporation Limited, the Government is pleased to appoint Smt. Nidhi N. Mamlekar, R/o Talem Durgabhat, Ponda-Goa, as Director on the Board of Directors of Kadamba Transport Corporation Limited with immediate effect, in place of Shri Narayan Shenvi Talaulikar, ex-Director on Board of Directors of Kadamba Transport Corporation Limited who expired on 8-9-2018.

By order and in the name of the Governor of Goa.

Nikhil Desai, Director & ex officio Addl. Secretary (Tpt.).

Panaji, 20th December, 2018.

www.goaprintingpress.gov.in

Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 16.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—296/160-12/2018.